

Staff Summary Report



To: Mayor and City Council
Through: City Manager

Agenda Item Number 47
Meeting Date: 01/11/01

SUBJECT: SOUTHERN PALMS SHOPPING CENTER #DRB00277

PREPARED BY: Steve Venker, Principal Planner (480-350-8331)

REVIEWED BY: Dave Fackler, Development Services Manager (480-350-8333)

BRIEF: Request by Southern Palms Shopping Center to appeal Design Review Board Condition of Approval #1 for the freestanding signs at 1538 East Southern Avenue.

COMMENTS: **DESIGN REVIEW APPEALS (0102-05-03)** Request by **SOUTHERN PALMS SHOPPING CENTER** (Center Trust Inc., property owner) #DRB00277 to appeal Design Review Board Condition of Approval #1 for the freestanding signs at 1538 East Southern Avenue.

Requested Appeal of Condition of Approval

1. Modify sign a. to eliminate tenant identification, to have a monument type base of masonry construction, and redesign to center identification sign that relates to the architectural design of Southern Palms Shopping Center.

Document Name: 20010111devsrh18

Supporting Documents: Yes

SUMMARY: The applicant is proposing to install, at the northwest corner of McClintock Drive and Southern Avenue, a freestanding sign that has information on it to identify the shopping center and six (6) tenants. Currently there is a sign at this location that identifies the shopping center. After hearing the proposal from the applicant, the Design Review Board determined that the applicant should utilize the corner location to identify the shopping center. The shopping center has the rights to more freestanding signs, thirteen (13), than any other shopping center in the City. During their discussion, the Board recommended that the applicant utilize up to four (4) of these freestanding signs to identify the major tenants in the shopping center. In this way the major tenant identification signs could relate to the location of the major tenants within the shopping center, and the shopping center identification sign at the street intersection corner could be retained. Staff supports the Board's decision and recommends denial of the appeal.

RECOMMENDATION: Staff – Denial of the appeal
Public - No comments received at this time.

ATTACHMENTS:

1. List of Attachments
- 2-5 History & Facts / Description
- 5-6 Comments
7. Location Map
8. Site Plan
9. Sign Drawing
10. Letter of Appeal
11. Design Review Board Meeting Minutes 11/15/2000

HISTORY & FACTS:

- April 9, 1981. City Council approved a Final Subdivision Map and Amended General and Final Plan for Southern Palm Center consisting of 10 lots on 24.93 acres.
- August 5, 1981. Design Review Board approved a sign package for Southern Palms Shopping Center that provided pad tenants the choice of red (#209-0), yellow (#201-6), or blue (#607-1) signs. Further, Pad tenants were allowed to have signage on three building elevations, or on two building elevations and one freestanding sign.
- August 26, 1981. Board of Adjustment approved variances for all freestanding pad building tenants to have freestanding tenant identification signs, (11 Pad tenants). Such signs were limited to five (5) feet in height, and 20 s.f. in area. Further, each pad tenant in the center was approved to increase their maximum allowable sign area for each of the pad building tenants in the center from 40 s.f. to 104 s.f.
- September 23, 1981. Board of Adjustment approved a variance for Marshall's to increase the maximum allowable sign area for a tenant from 80 s.f. to 219 s.f.
- October 25, 1981. Design Review Board approved building elevations, site and landscape plans for Pedro Verde's Restaurant.
- March 22, 1982. Design Review Board approved building elevations, site and landscape plans for Bob's Big Boy Restaurant, subject to conditions.
- July 7, 1982. Design Review Board approved signage for Pedro Verde's Restaurant, subject to conditions.
- July 28, 1982. Board of Adjustment approved variances for Southern Palms Shopping Center to increase the maximum allowable size and height for four (4) directional signs.
- October 20, 1982. Design Review Board approved three (3) building mounted signs having rust, orange and white copy.
- February 23, 1983. Board of Adjustment approved the variance for Southern Palms Center to convert a previously approved freestanding sign for a pad tenant in a center to a multi-tenant sign for pad "D".
- March 2, 1983. Design Review Board approved a freestanding identification sign for Bob's Big Boy Restaurant.
- March 17, 1983. City Council approved the request for a Final Subdivision Map and Amended General and Final Plan of Development for Southern Palms Shopping Center.
- August 5, 1983. Design Review Board approved a sign package for Southern Palms Shopping Center, subject to conditions.

<u>May 25, 1983.</u>	Board of Adjustment denied the variance for Clothes Time to increase their maximum allowable sign area from 40 s.f. to 65 s.f.
<u>February 18, 1987.</u>	Design Review Board approved the building elevations, site and landscape plans for Garcia's of Scottsdale Restaurant.
<u>April 23, 1987.</u>	City Council approved a request by Famous Restaurants for an Amended Final Plan of Development for Garcia's of Scottsdale Restaurant.
<u>June 11, 1987.</u>	City Council approved a request by Famous Restaurants for an Amended General and Final Plan of Development for Pedro Verde Restaurant.
<u>October 28, 1987.</u>	Board of Adjustment approved a variance to increase the maximum allowable sign area for Safeway from 235 s.f. to 250.13 s.f., subject to conditions.
<u>February 6, 1991.</u>	Design Review Board approved an exterior color modification for the Southern Palms Shopping Center to Salmon Pink and Turquoise/blue. The center was never painted and the approval lapsed.
<u>August 5, 1992.</u>	Design Review Board approved a request for building color modification for JB's Restaurant.
<u>September 15, 1993.</u>	Design Review Board approved a building elevation modification for Garcia's Mexican Restaurant (Quila's), and continued signage.
<u>November 17, 1993.</u>	Design Review Board approved the request for building colors and signage for Garcia's Mexican Restaurant (Quila's), subject to conditions. Approved signage included exposed neon signage.
<u>February 1, 1994.</u>	The Tempe Hearing Officer approved a variance request by Mega Foods to increase the maximum allowable sign area from 80 s.f. to 96 s.f. for an exposed neon sign, subject to conditions.
<u>February 16, 1994.</u>	Design Review Board approved the request for building elevations modification and freestanding/building mounted signs for Outback Steakhouse. The signs approved included exposed neon.
<u>August 29, 1994.</u>	Design Review Board staff approved signage for House of Fabrics, subject to conditions.
<u>February 9, 1995.</u>	City Council approved the request by Click's Billiards for an Amended General and Final Plan of Development and use permit to allow a 8,916 s.f. billiards/pool hall facility in the PCC-2 District.
<u>March 20, 1995.</u>	Design Review Board Staff approved a 4.66' x 32.635' (152.07 s.f.) fascia mounted sign for Heilig-Meyers Furniture, subject to conditions.

April 18, 1995. The Hearing Officer approved a variance request by Heilig-Meyers Furniture to increase their maximum allowable sign area from 80 s.f. to 152.69 s.f., subject to conditions.

April 19, 1995. Design Review Board approved signage for Click's Billiards. The sign approved included exposed neon.

October 18, 1995. Design Review Board denied the request by Heilig-Meyers Furniture for a fascia mounted sign.

March 20, 1996. Design Review Board approved the request by Southern Palms Shopping Center - Joe's Crab Shack for a building modification.

August 28, 1996. The Board of Adjustment approved the request by Joe's Crab Shack for the following variances:

- a. Variance to increase the maximum allowable sign area from 80 s.f. to 264.96 s.f.;
- b. Variance to allow a six (6th) freestanding sign on the same street frontage;
- c. Variance to increase the maximum allowable height for a freestanding tenant identification sign from eight (8) feet to 18.5 feet;
- d. Variance to waive the required masonry base for a freestanding sign.

October 2, 1996. Design Review Board approved the request by Southern Palms Shopping Center for a paint color scheme.

July 18, 1997. Design Review Board staff approved the request by Outback Steakhouse for a patio addition.

October 30, 1998. Design Review Board staff approved the request by Outback Steakhouse for a new walk-in cooler located on the north side of the existing restaurant.

October 20, 1999. Design Review Board approved the request by Southern Palms Shopping Center – McDonald's for building elevation modification and signage.

December 20, 1999. Board of Adjustment denied the request by Southern Palms Shopping Center – West Marine to allow the display of inflatable boats at the front of the store.

January 24, 2000. Design Review Board staff approved the request by Outback Steakhouse of the building elevations for a new covered patio addition.

March 22, 2000. Design Review Board staff approved the request by Food 4 Less for a building mounted sign.

May 2, 2000. The Hearing Officer approved a variance request by Food 4 Less to increase the maximum allowable sign area from 80 s.f. to 100 s.f. located at 1706 E. Southern Avenue.

June 7, 2000.

Design Review Board denied a freestanding, fascia and wall mounted signage request by Leslie's Pool Supplies.

August 16, 2000.

Design Review Board approved the request by Southern Palms Shopping Center for color scheme modifications.

August 23, 2000.

Design Review Board staff approved the request by Southern Palms Shopping Center for landscape and lighting modifications.

November 15, 2000.

Design Review Board approved a request for freestanding signs for Southern Palms Shopping Center located at 1538 East Southern Avenue, subject to three (3) conditions.

DESCRIPTION:

Owner - Center Trust Inc.
Applicant - Steve Perales/Center Trust

COMMENTS:

The applicant is proposing to install, at the northwest corner of McClintock Drive and Southern Avenue, a freestanding sign that has information on it to identify the shopping center, and six (6) tenants. Currently there is a sign at this location that identifies the shopping center. The proposed sign will have a different design than the existing sign. Specifically, the applicant requests approval for the following signage:

- a. One (1) 3' x 7' (21 s.f.) internally illuminated freestanding center identification/multi-tenant sign to replace an existing freestanding center identification sign at the northwest corner of Southern Avenue and McClintock Drive. The proposed sign will feature both routed-out copy with white ½" push-thru letters, and tenant sign panels using white polyurethane faces with copy reversed out of slate green vinyl.

The center identification portion of the sign will use three (3) inch copy. The two (2) panels for major tenant signage will utilize five (5) inch copy, and the remaining four tenant panels will use four (4) inch copy. The sign display will be constructed of aluminum with a stucco and tile finish.

Note: The proposed sign will require variances to allow a multi-tenant sign in this zoning district, and to waive the required monument type base of masonry construction.

After hearing the proposal from the applicant, the Design Review Board determined that the applicant should utilize the corner location to identify the shopping center. Based upon action by the Board of Adjustment in 1981, the shopping center has the rights to more freestanding signs, thirteen (13), than any other shopping center in the City. Eleven of these are allowed for the pad building tenants, and two of these are allowed for center identification. Southern Palms Shopping Center currently has a total of seven (7) freestanding signs on site, with the potential of having five (5) additional freestanding pad tenant identification signs, and one (1) additional center identification sign.

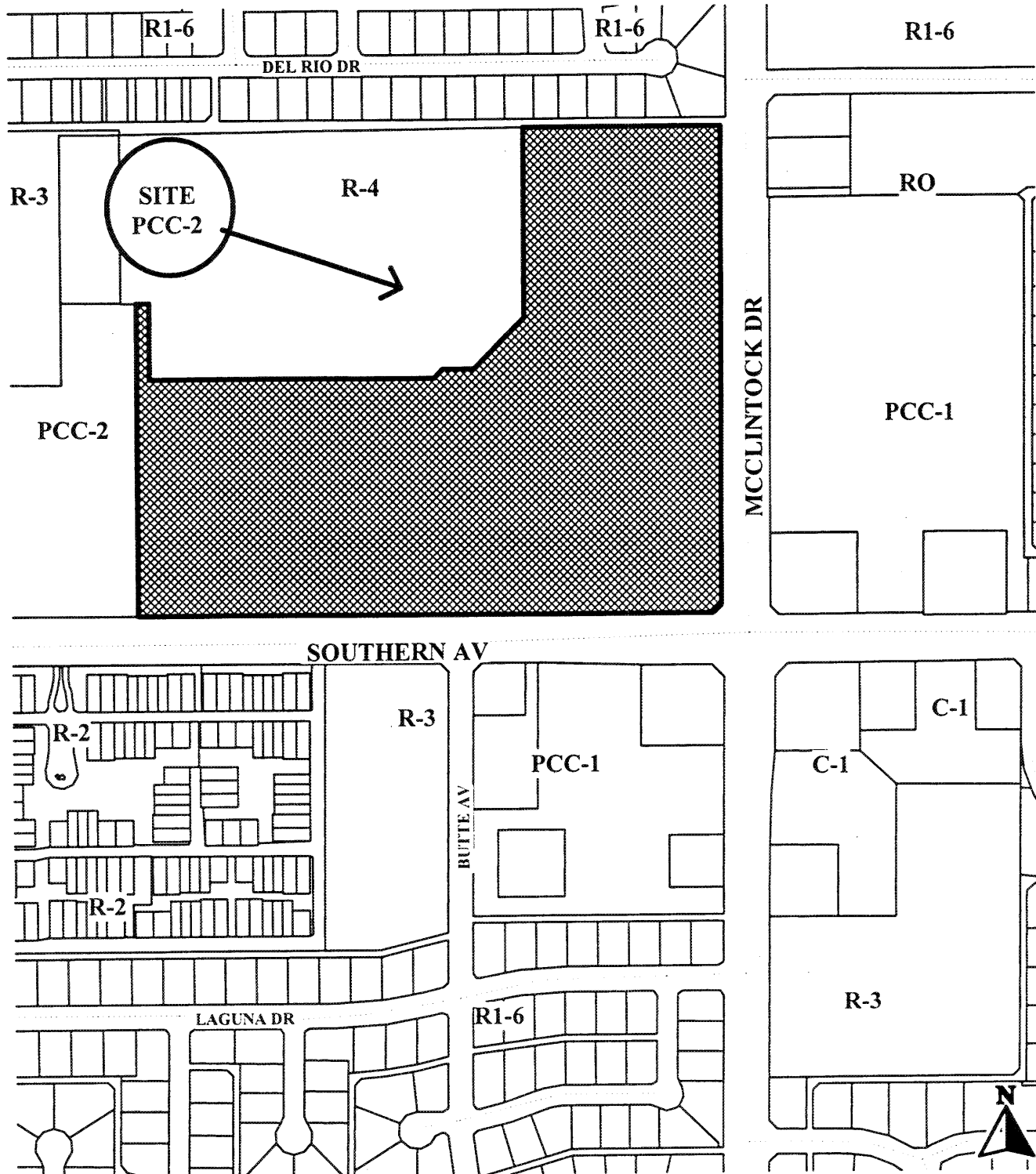
During their discussion of this request, the Design Review Board recommended that the applicant should utilize two (2) of the existing freestanding tenant identification signs, plus two (2) new freestanding tenant identification signs to identify the major tenants in the shopping center. In this way the major tenant identification signs could relate to the location of the major tenants within the shopping center, and the shopping center identification sign at the street intersection corner could be retained.

Based upon the Tempe Sign Program, Staff supports the philosophy that a shopping center should provide signage to identify the name of the center in order to assist potential customers by informing them that they have arrived at the correct shopping center. As an example, a potential customer attempting to locate Ann's Hallmark at Southern and McClintock will find that there are shopping centers located on all four (4) corners of the intersection. Without knowing the name of the shopping center in which Ann's Hallmark is located, or by not knowing which shopping center is which, the customer may be in for a frustrating search.

By de-emphasizing the center identification sign for Southern Palms Shopping Center with the conversion of this sign to a multi-tenant sign, the applicant will place the majority of the tenants in the center at a disadvantage. Staff does not support the applicant's request to replace the existing 24 s.f. shopping center identification sign with a multi-tenant sign featuring six (6) tenants. We recommend that the existing center identification sign be redesigned, and perhaps relocated, with a new sign that will relate to the architectural design of the center and provide enhanced visibility. Staff supports the Board's decision and recommends denial of the appeal.

SOUTHERN PALMS SHOPPING CENTER

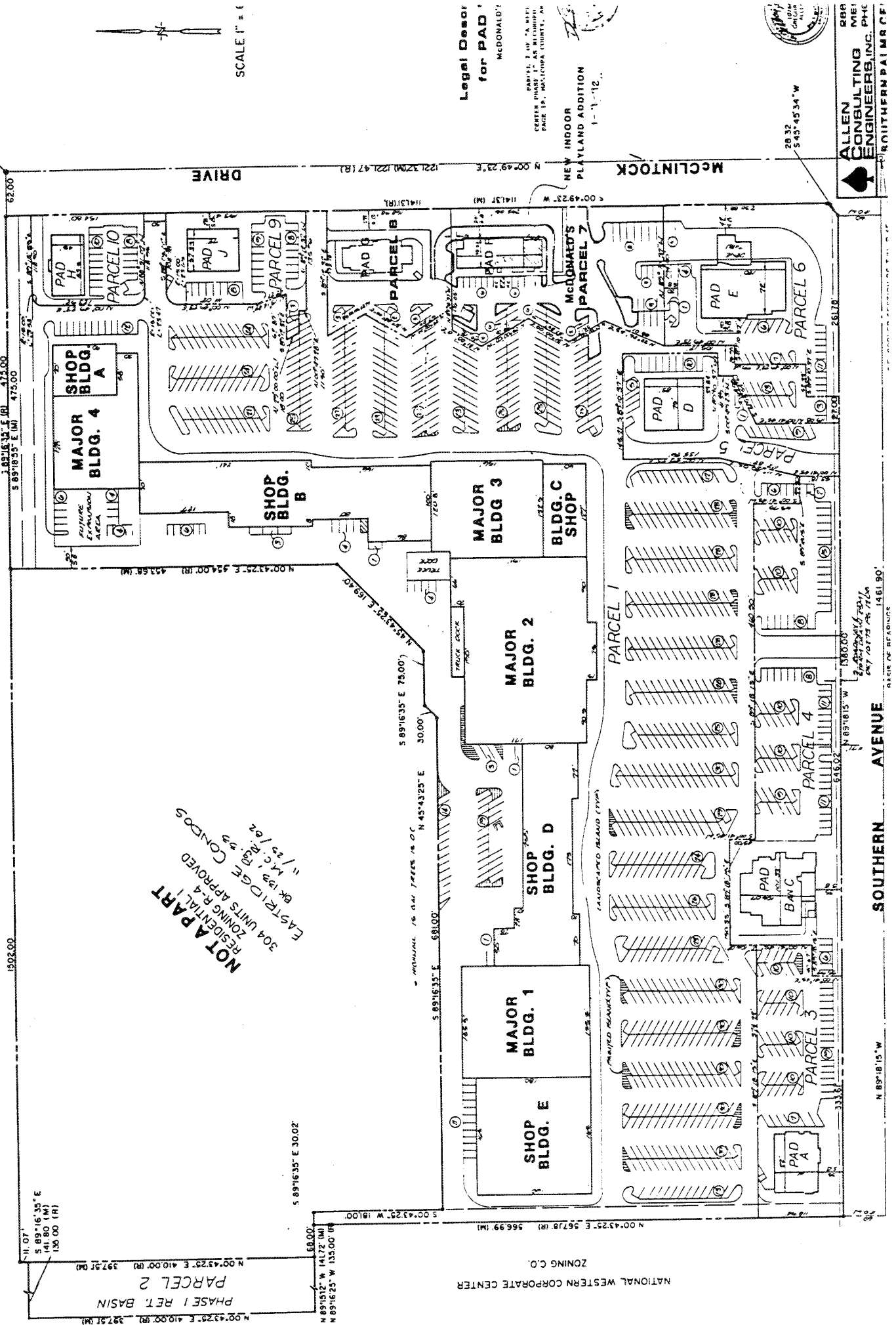
DRB 00277



Location Map

SOUTHERN PALMS CENTER PHASE I

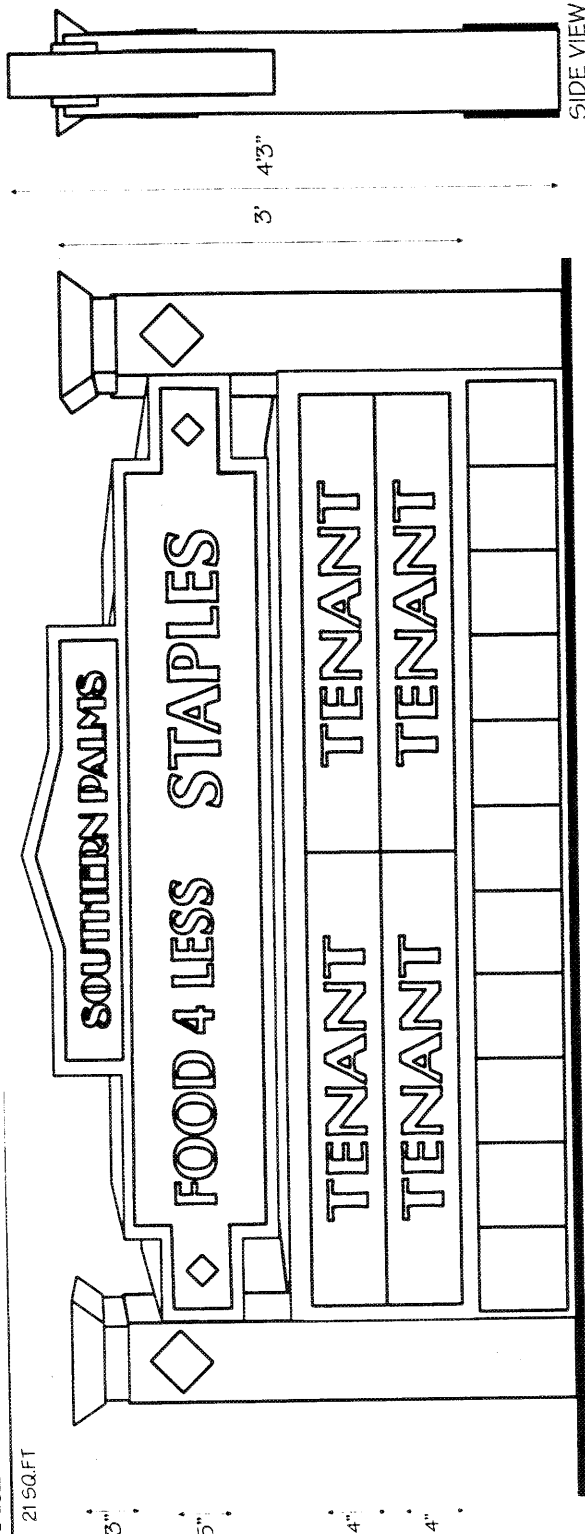
SE CORNER OF HUGHES
ACRES UNIT 6



FREESTANDING MONUMENT

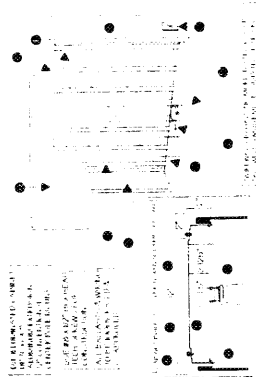
21 SQ.FT

Scale: 1"=10"



SIDE VIEW

CONSTRUCTION DETAIL REFERS TO
ILLUMINATION DETAIL OF INDIVIDUAL
CABINETS.
THE SUPPORT BASE AND COLUMNS ARE
NON-ILLUMINATED.



- A. SIGN FABRICATOR
- B. SIGN FABRICATOR
- C. SIGN FABRICATOR
- D. SIGN FABRICATOR
- E. SIGN FABRICATOR
- F. SIGN FABRICATOR
- G. SIGN FABRICATOR
- H. SIGN FABRICATOR
- I. SIGN FABRICATOR
- J. SIGN FABRICATOR
- K. SIGN FABRICATOR
- L. SIGN FABRICATOR
- M. SIGN FABRICATOR

LOWER SECTION OF CABINET TO HAVE TWO (2) MATTE CLEAR LEXAN (HIGH IMPACT POLYCARBONATE FACES) BACKGROUND OF FACES PAINTED 2ND SURFACE WITH OPAQUE FIELD TO MATCH PMS 5763 WITH TENANT NAMES REVERSED OUT OF BACKGROUND, 50 COPY ILLUMINATES IN WHITE RIGID EXTRUDED ALUMINUM DIVIDER BAR BETWEEN SIGN FACES.

THE TILE/STUCCO SECTION IS TO EXTEND FROM SIGN BOTTOM TO GRADE WITH TEXTURED STUCCO FINISH AND UNGAUGED SLATE TILE INSTALLED AT BASE AND AT ACCENT SPOTS ON DECORATIVE COLUMNS TO MATCH BUILDING.

FABRICATE AND INSTALL ONE(1) DOUBLE FACE ILLUMINATED TENANT SIGN DISPLAY WITH OVERALL DIMENSIONS TO BE 3'0" X 7'0" AS DEPICTED IN THE RENDERING PROVIDED. CABINET TO BE CONSTRUCTED WITH ALUMINUM EXTRUSION FOR THE MAIN SIGN BODY. INTERNAL C/W/O FLUORESCENT LAMP ILLUMINATION TO BE LOCATED WITHIN SIGN CABINET.

UPPER PORTION OF CABINET TO HAVE TEXT READING "SOUTHERN PALMS" WITH A 0.90 ALUMINUM FACE ROUTED OUT COPY AND 1/2" PUSH-THRU WHITE ACRYLIC LETTERS. TOP FACE TO BE PAINTED TO MATCH PMS 4635. FRONT EDGES AND SIDEWALLS OF CABINETS TO BE PAINTED TO MATCH PMS 452.

FOOD 4 LESS AND STAPLES SIGN FACE IS 50% LARGER THAN OTHER TENANT FACE.

DRAWING - FILE NAME: SOUTH PALM WORK ORDER #: 00000000 CUSTOMER NAME: STEVEN PERALES @ CENTER TRUST PHONE: 310.546.8278

JOB NAME: STEVEN PERALES @ CENTER TRUST CUSTOMER ADDRESS: SUITE _____ CITY: _____ ZIP: _____ SALESMAN: BART HAYNES EST #: _____

JOB ADDRESS: SOUTHERN & MCCLINTOCK DRIVE, PHOENIX DESIGNER: ALICIA HANSON DATE: 07/22/00 REVISIONS: _____

TYPE OF SIGNS: ILLUMINATED MONUMENT, DIRECTORY & DIRECTIONALS

ACCEPT DATE: _____ BUYER SIGNATURE: _____

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* Also Admitted in California and District of Columbia

November 27, 2000

Tempe Community Development Office
P.O. Box 5002
Tempe, Arizona 85280

Re: *Application Number DRB00277 – Notice of Appeal*

Dear Gentlemen:

My client, Southern Palms Shopping Center, wishes to appeal the decision of the Design Review Board regarding this matter at the meeting held on Wednesday November 15, 2000. Although the sign application was generally approved, my client is appealing condition "1" as it pertains to eliminating tenant identification.

The Southern Palms Shopping Center will be requesting from the City Council the tenant identification signage that the Design Review Board eliminated.

My check for \$300 to cover the appeal fee is enclosed.

Please place this matter on the Tempe City Council Agenda at the earliest possible date.

Very truly yours,



Richard G. Neuheisel

RGN:jz
Enclosure - \$300 check

cc: Tempe City Clerk
Scott Thompson

MINUTES OF 11/15/00 DRB MEETING RE: SOUTHERN PALMS SHOPPING CENTER

DRB00277 SOUTHERN PALMS SHOPPING CENTER
(Freestanding signs)
1538 East Southern Avenue
PCC-2, Planned General Commercial Center District

Steve Venker presented this case.

Dick Neuheisel/Attorney for Southern Palms represented this case.

There was a discussion:

Mr. Bauer: Is the applicant present or do we need to move this to the back of the agenda?

(someone from the audience spoke in response, but I could not hear what they said)

Mr. Bauer: We were told in pre-session that we may need to move this to the rear of the agenda. Is that still..... OK. Name and address for the record, and then we will go to staff's presentation.

Mr. Neuheisel: My name is Dick Neuheisel, I'm a lawyer here in Tempe. My address is 64 East Broadway, Tempe, AZ.

Mr. Bauer: Mr. Neuheisel, during staff's presentation, if you could fill out one of the green cards for us please.

Mr. Neuheisel: I have.

Mr. Bauer: Thank you. Mr. Venker?

Mr. Venker: Thank you Mr. Chairman. The request before you seeks to make some improvements to a couple of the freestanding signs that exist at Southern Palms Shopping Center on the northwest corner of McClintock Drive and Southern Avenue. The effort is to provide multi-tenant information as well as center identification information at three locations on the site. Staff has concerns about providing multiple tenant information on these freestanding signs. The history for the shopping center indicates that it is one of the most, well, it has provisions in it that allows more signs, I believe, than any other shopping center in the city. And, our concern is that through this provision, many of the tenants do have identification at the street already, and we worry that additional tenant information may result in a proliferation or an unnecessary visual clutter on this street frontage. We do appreciate the effort to improve the design of these signs as they are proposed, but we do object to having the tenant information added to these signs. We do think that the center needs to upgrade their I.D. signs, and that aspect of this request we do support.

Mr. Bauer: I have a question. A very unusual stipulation exists in both sets of stipulations recommended; #4: Record final plan of development for Outback Restaurant prior to the issuance of sign permits. Exactly what is that all about? (Mr. Bauer then told someone who was speaking from the audience, they could not do so)

MINUTES OF 11/15/00 DRB MEETING RE: SOUTHERN PALMS SHOPPING CENTER

Mr. Venker: Mr. Chairman, as I understand the situation, there have been some modifications made to the Outback Steakhouse pad site, which on your site plan has a number 1734 on the little box that represents the location of Outback, and those improvements require recordation of that as an amendment to the general plan of the site and final plan for that specific site area, and that is underway. At this point in time, I'm not certain that condition #4 needs to be a part of this action.

Mr. Bauer: Yes, that was my question. It is very unusual to tie something other than sign stipulations to that. Other questions of staff? Hearing none, Mr. Neuheisel, please.

Mr. Neuheisel: Thank you, I appreciate your patience in allowing us to be a little later on the agenda. I just broke 17 speed limits coming down from a place called Holbrook. If you haven't been to Holbrook lately, I recommend that you not try to go to Holbrook. I spent a day in court up there; my voice is gone; my patience is gone; and I appreciate, however, the opportunity to be with you tonight. I've had little time to talk with my client; I understand there's a sign man here by the name of Bart Haynes, who you had complemented, I believe, on the design, and I think I'll wait till last my part of this because I think I may have a historical perspective that would be unique. I go back to being in a law office across from this shopping center beginning in 1972. I know I don't look that old, but from 1972 until about two years ago I was a classmate with that shopping center across the street. I can remember when it was a hole in the ground, and it was the biggest hole in the ground you'd ever want to see. I don't know if our staff member goes back that far but...do you? You remember when it was a hole in the ground? It was supposed to be a major, major shopping center. Well, we got short-changed in Tempe at the time, and it is not a major, major shopping center. It is something less. However, it has suffered, suffered, suffered. I used to go to different stores there, and maybe ten in number over the 25 years I was across the street, all are gone. The shopping center has had amazing, amazing failure, not success, failure. All kinds of different places have been in there. Camera shops, barber shops that I've been to, shoe stores...they're all gone. The shopping center has suffered. I don't know why. Fry's across the street, Basha's to the south, has had more success. Now we've got some new people going in there. They want to do something just a bit different, maybe, than what you are used to and I'm going to give you a couple reasons why I think that's OK. But I'd like to have Mr. Bart Haynes come and give you his perspective on the signs themselves and how he came to these conclusions. Bart?

Mr. Haynes: Hello, my name is Bart Haynes and I'm with Adda Sign Company, and we've been working with Center Trust who is the ownership group of the mall for sometime, trying to come up with a design program that incorporated some of the modifications that have taken place at the site and that are continuing to take place. In fact, just recently it was presented to the staff and approved the color pallet, it was approved for that site, that they're repainting the buildings and doing some modifications there. And it's with that that we're kind of trying to tie in some updating of the signs, as Mr. Neuheisel has expressed, and bring some light to the center itself. You've got, I believe, PMT drawings, black and white drawings, with your packets of what we're trying to do there. I've actually got some color packets. If I could allow you folks to take a look at that, and it will explain it just a little clearer.

Mr. Bauer: I was just going to ask you for some color....

Mr. Haynes: The initial page, there, that you're looking at is a simple site map of the property and how it relates to the streets we correspond to. And, as was explained previously by Mr. Venker, there are in fact a variety of other signs that are granted under original variance back in '81 that allows all those freestanding buildings that you see along the streets to have a very small scale sign identifying specifically themselves. And, while that is gratuitous to those individuals, it makes it a bit difficult for the

MINUTES OF 11/15/00 DRB MEETING RE: SOUTHERN PALMS SHOPPING CENTER

businesses that are at the back of the property itself, that are recessed a great distance behind those buildings as well as the parking areas in and of themselves. And, you'll see on those the particular locations where we are trying to address our signs, but I'll relate to that in a moment. If I can continue with what we're actually to do here, the second page is simply the color pallet and the colors that you have already seen and how they correspond with the same color tones that we'd be using in the signs themselves. The following sheet shows a digital photograph of the existing one portion of the elevation of the buildings. And above that you'll see the corresponding reproduction of the artist's rendition with the new color scheme, and as you can see, there's not an enormous amount of architectural change in the building construction detail, however, the elements of design, the color scheme, some of the build-outs, and you'll see some of the accents, the tile work, that are being implemented there, are all designed to beautify the center, bring it a little closer to a modern feel, and just elicit a sense of warmth for these stores, and a sense of completeness to the center rather than a fragmented and broken shopping complex. Now, if you take those colors that you see there and continue them, the next page indicates the existing freestanding sign, a Southern Palm Center sign, which, of course expresses nothing other than Southern Palms Center. And, as you can see there, it is quite isolated on that corner. You don't even necessarily see the center from where you're located in trying to relate the two. And, of course, as the color changes take place and the modifications to the buildings that they're doing, this sign will continually look further and further outdated and the effectiveness is going to become even less as it progresses. So, what we attempted to do was design a sign that facilitated the building with the new look as well as take into account some of the limitations that you're trying to maintain here in the city. So, we took this particular sign and actually scaled it down. The following sheet, if you take a look there, you can see where we've digitally superimposed the proposed sign over the existing one, where it was originally located. Now this sign, we've reduced in square footage a fair amount. The actual allotment is 24, we're down at a 21 square foot. The overall height of the sign is still commiserate, however the horizontal distance is less. So, what we've tried to do is take and beautify this and create an element of architectural design that reflects that. This particular layout that you see there, there's actually if you flip back a couple of pages, two more additional pages, you'll see a layout with some callouts and some measurements, and along with that is an end view, and you can see that we've got a very dimensional style sign. The upper portion is a routed out aluminum background; we've got a particular style that we refer to as "push through acrylic" which gives us some dimension. So you've got a three-dimensional appearance. Now, the copy down below appears with the green colors that reflect what's on the building as well as the white text itself to give it kind of a soft, muted tone without being too overt, yet getting some exposure to the center. In addition to that, we've also opaqued the entire background so the only illumination you will see is the text, the verbiage, the words Southern Palms, and the just the lettering itself. We won't have a large, full-size box lit up at night, is what I'm saying. And, you'll also note the architectural embellishments on the columns, the tiles, the dimension alley there, as well as the tile that we have on the building, is going to be reflected on the columns as well as along the base.

Now, to go back to one of the previous sheets there, you'll see the second portion of this project. There's an existing freestanding sign at a couple of the entrances. It's right up on the corners and that was allowed to be put into place indicating specifically that, just the entrance. Now, what we wanted to do was incorporate something that reflects the new look of the center, while again trying to retain a subtleness for the city itself. So we've taken that from the current placement right out on the street, and moved it back a full 45 ft. set back from the leading edge of the curb. Now, the sign still works in a very, very small scale fashion; it's only six sq. ft. And, what it's designed to do is simply give some direction to the people as they're entering the complex, as to which location is to the left, which is to the right, and it's designed specifically as that, to give a sense of aide to the patrons of the center. It's quite a large complex without of some sense of relativity where you're going, it's difficult to ascertain as you enter.

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Now, you'll see subsequent to that the call outs and the size, in the perspective it's a little difficult to realize how small this actually is. It is designed not to be seen from street at all, but simply as an on-site premise sign to give you direction as you are inside the property. The overall height of those directional signs are 4 ft.; square footage of the actual graphics is 6 feet. As I say, it is quite limited, and as you can see, the tones and the colors and the tile are again reflected here to maintain the uniformity. And again, we will be replacing the existing signs that are on the corners; those will be emitted (eliminated?)

So all three signs that we are proposing, we are wanting to remove what is there and put in something that's a little smaller, a little more tasteful, and certainly more updated.

Finally, you'll see the last element of the sign package which is the under-canopy sign. Now, there's existing hodge-podge of signs out there, some appear to have a semblance of consistency, some do not. What we are wanting to do is reflect this, again, with the same look throughout the center. You'll see the color tones that are used throughout the buildings reflected here. There are three separate models, that we will alternate consistently throughout the center. None of these are illuminated. They are specifically designed to aid the foot traffic as well as beautify the complex as a whole.

And, finally, the last page you'll see is a comparison of one of the existing under canopy signs versus the look of the new sign that we're trying to put into place.

Now, as we take a look at some of what the staff has recommended, and we've worked with them at great length trying to accommodate some of their specific ideas and concepts to maintain their sense of direction with this and what's been in place with your sign code. One of the things, one of the concerns that was expressed was an attempt to de-emphasize the center, which is specifically what we're trying not to do. The whole intent here is to emphasize the center and draw some consistency, again, some unity to the entire complex as a whole. The recommendations that staff has presented, or Mr. Venker, regarding the approval and/or the allowance of the sign to be modified to accommodate an approval, everything has been addressed. The only thing that we really are referring to here is specifically the tenant identifications. As far as putting on the address numerals, absolutely not a problem, that can be accommodated without any difficulty. He's requesting a masonry base; we have a stucco finish along the bottom with a tile that reflects the building. We could replace that with masonry without any difficulty at all, if that's preferred. In addition to that, he's requesting an 8 ft. clearance between the under canopy signs and the sidewalk; that's a foregone conclusion and would take place in all the permitting processes as well. So again, the only thing we are actually pursuing at this particular point in trying to complete this project is the ability to maintain the tenant exposure out front and replacing the large outdated sign that is there currently. Thank you.

Mr. Bauer: Thank you. Mr. Venker, how many, I know we ran into this when Leslie's Pools came in and that was something that was an extreme surprise to me, that we ultimately learned that each freestanding building has the right to their own freestanding sign through some prior agreement with the City that has existed as long as this center has existed. It is my understanding, and I could be wrong, and that's the purpose of the question, that JB's, Joe's Crab Shack, Outback, McDonald's, YC's, and in the future, Leslie's, either do or will have freestanding signs.

Mr. Venker: That is correct.

Mr. Bauer: Bank One does not have one, I don't believe.

Mr. Venker: I believe you are correct. They have the rights to one.

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Mr. Bauer: Correct. And the Baskin Robbins multi-tenant building has one as well.

Mr. Venker: Yes, sir.

Mr. Bauer: So at this point, there is really only one freestanding pad -- is Bank One owned separately or is that a lease?

Mr. Venker: I'm not aware of the situation there.

Mr. Bauer: I think it's owned separately because I believe McDonald's is owned separately; Joe's Crab Shack is owned separately; but I could be wrong about that. Mr. Neuheisel, I don't know if you have any information in that regard.

Mr. Neuheisel: reply from the audience was unclear on tape recording.

Mr. Bauer: I'm wondering what the potential is to acquire the rights to those existing freestanding signs and do away with them. Because the only, out of all of those that I just mentioned, the only one that really probably needs a freestanding sign is Outback because they're not on the street front. Everybody else, those folks do not need a freestanding sign. And I guess my biggest concern about any additional signage on this center is the fact that we've got a plethora of signs up and down the roadway for what in fact is a very large shopping center. However, it's something that I know that we would not, as a Board, accept if we were given a clean sheet of paper and were starting over with this entire project and there was not a pre-existing legal condition that would allow them to have those signs.

Question for the applicant: the directional signage, I thought I understood signs, but I may be just a little slow. I do not understand how these are going to work. The one on Southern Avenue, when you enter Food-4-Less is right in front of you, and I'm assuming it's going to point, it will be facing the driver, it will be parallel to the street front, to the property line. Correct?

Mr. Haynes: Essentially, yes.

Mr. Bauer: You drive in and Staples will be pointed to the right, and Heilig-Meyers for at least a very short time until they close their doors, I understand, will be pointed to the left. Because the way they're shown here, they're shown being perpendicular to the street front and that really confused me because I thought everything's going to be pointing into the center.

Haynes: Yes, and it's a little difficult in perspective like that, but the intent there was just to kind of give you a feel of where it's going to be sitting back from the street frontage itself. And the intent, without those signs, what's going to happen is people are going into the property, they're going to get to the buildings, and then make a left or right. What we're trying to do is facilitate some traffic flow from some of the previous turnouts without having to throw everybody right up against the buildings before they make their turns.

Mr. Bauer: Heilig-Meyers is, in fact, going out of business?

Mr. Haynes: That's correct.

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Mr. Bauer: I guess with regard to some of the issues that were relayed on the design, a masonry base is a code requirement but I tend to like the slate quite a bit. Again, I cannot get a real good feel based upon even the color graphics as to what this sign really is. I can't feel it, I can't touch it, it's not split faced block, it's not, I don't know if it's metal and montex, or if it's wood and montex, so I'm not getting a good sense about the design of the sign at all. I've got to tell you though, I do know that that green is in the center, and when I was driving down McClintock last week I remember approving the color scheme and yet I was shocked that that green was a part of the color scheme, the pea soup green as I would call it. I'm not that enamored with that color, certainly on a sign. It's a personal preference, and I guess this is the Design Review Board and design and architecture is in the eye of the beholder. With regard to your blade signs or your tenant identification signs in the pedestrian corridor, I have no problems with those at all. Clearly that's something that is a substantial improvement over what exists now and certainly should be changed out regardless of the disposition of any freestanding sign applications. Other Board comments?

Mr. Gavigan and Ms. Bogart: Mr. Chairman?

Mr. Bauer: Go to Mr. Gavigan first please.

Mr. Gavigan: I have several comments. In regard to the suffering of the shopping center, I've lived here for 15 years, and it does always seem to be in a precarious position, but I really don't, I'm not a retail expert, but I don't think that that's due to the signage. My second comment is that on the whole we have not supported multi-tenant signs in the past, and the staff's and city's philosophy that shopping centers should provide identification signage for the name of the center to draw customers, I really support. When I look over your proposal, it does actually seem to have gone the other direction. The size of the center identification, particularly right on the corner, has been reduced to an almost illegible size. The last thing I would like to point out, the under canopy signs are interesting but they almost seem to have reduced the actual size for the tenants to use, although it is an attractive design, but they've almost lost some area there. And the very last comment is, your multi-tenant sign on McClintock Drive is located all the way to the north of the property. Technically, when you drive in, everything on the sign is going to be to your left. So I wondered if that's really necessary, and by that point, they've already made the turn so I can't see them using that sign as an impetus for turning at that point to try to find the businesses on that sign. Those are my comments, thank you.

Mr. Bauer: Ms. Bogart.

Ms. Bogart: Yes, thank you. My first question has to do with color. I noted you are going to repaint some of those building faces in these colors that are shown on this first sheet. Are these actually the colors, or are these kind of similar, because I noted this green on the first sheet is very different than the green shown on the sign.

Mr. Haynes: What you're looking at there is a color rendition of the colors that were approved of your palette. So that's just a translation from our computer program and how it prints. It's actually the colors that were approved through the years.

Ms. Bogart: These colors are?

Mr. Haynes: Yes.

Ms. Bogart: OK.

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Mr.

Mr. Bauer: Ms Bogart, is that your only question?

Ms. Bogart: Actually, no, I was just going to go on and talk a little bit about the columns that are turquoise and red.

Mr. Bauer: Those are going away.

Ms. Bogart: Those are going away?

Mr. Bauer: Blessedly. I believe those are going away blessedly, the turquoise and red colors we approved three years ago, two years ago? I remember that.

Mr. Neuheisel: Let me introduce Scott Thompson, who represents Center Trust.

Mr. Thompson: There's been a lot of questions about the colors on the shopping center.

Mr. Bauer: Name and address for the record, please.

Mr. Thompson: My name is Scott Thompson with Center Trust, 3500 Sepulveda Blvd., Manhattan Beach, CA. There's been a lot of questions about the colors, and I absolutely agree with Steve...when we first saw the colors go up as far as the green and the yellow, he stood back and, I mean, it was completely washed out and looked horrible. We even stopped the painting for awhile and started putting up many different colors just to find the right colors again. We have done that now, we're going forward with, I assume our painters got new approval for the new colors, and the green is gone. There are new colors. However, when the sign is built we're going to match the same colors of the shopping center to the signs. So, all the colors that you have in hand right now, those are not the ones it's going to be built with. It will be the exact same colors as on the shopping center.

Ms. Bogart: I do have just one last comment, then I'll pass it over to you. I noted there are only 4 tenants that are shown on this sign. How do you determine which are the tenants that are going to get their name on this sign, and which ones won't?

Mr. Thompson: Actually, I should introduce Greg Abbott from CBRichard Ellis, who is a broker, who can kind of help you guys understand that, as far as how we're going to use those to attract the tenants. For example, when Heilig Meyer does go out, you know, we've got a very large empty box. And the tenants of today are just absolutely all over signage. I mean, that's the most important thing. They want us as a developer to first approve their signage before they're even willing to go to a lease, most of the time. So, Greg, would you mind coming up?

Mr. Bauer: They're going to love us.

Mr. Abbott: My name is Greg Abbott, and I reside at 6273 East Rose Circle Drive in Scottsdale. I am a leasing specialist, leasing broker, with CBRichard Ellis here in Phoenix. All I work on is retail shopping centers and fortunately this is one of them. Mr. Chairman, members of the Board, the universe of retail users is getting smaller. Between bankruptcies, mergers and so forth, it is getting tough to lease bigger spaces. To answer your question, most of the signage that will hopefully be granted here will be used for some of the larger tenants. Heilig Meyer is moving out; that's an example of a bankruptcy and

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unfortunately we're victims of that. Coomer's has also rumored, or there's speculation, that they're not doing very well at the site, and so they may be moving out, that's another large space. And additionally, Goodwill who is also an existing tenant in the center, we're currently marketing that space as available too. So, we've got a lot of, I guess stress you could say at the center right now. And we need help. Again Heilig Meyer was an example of a bankruptcy. There's other tenants too, a lot of which recently have either filed for bankruptcy or are reducing stores, you know, Service Merchandise, Video Update, Phoenix Sports...ah, had one down at 56th and Elliot as an example, that's closed. Just some of the other examples to give you an idea of the retail market now. Fry's is closing 17 stores in the Phoenix area, the NE corner is one of them. There's no more Smiths, Smittys or Fred Meyer; they've all merged into Fry's. And, ah....

Mr. Bauer: Mr. Abbott, if I could just stop you for just a second. I need to make a short announcement. One of my companies is building a shopping center and we are using a broker at CBRichard Ellis. Based upon that connection and you representing this, I'm going to go ahead and declare a conflict of interest on this matter. I'll turn it over to Vice Chair Regner.

Mr. Regner: Thank you Mr. Bauer. Mr. Abbott and Mr. Neuheisel, we now have five members on the Board. You need four votes to pass a motion, so you would only be able to not have the support of two, so you have the option of course to take a continuance tonight until you have a full Board. Or we can proceed with this discussion and still have the continuance, we give you that option. I have some questions that I would like to ask, Mr. Abbott, when you conclude your points.

Mr. Abbott: Sir, just to sum up quickly, the main point is that we need help on the leasing side. Most of the signage on the corner sign, which is really probably the, well, all three are very important, but the one I'm looking forward to market to these big tenants is the corner sign as well as the identification sign on the sides. But without that sign, it's tough. These big tenants, that's what they ask. They said, what kind of visibility and signage do I get? And in this case it's great that all the pad users have signage but what are doing about the big guys? We've had tenants come in and out of the center, and we need to have signage to offer to these big people. There's a lot of cars coming through the intersection and having the signage there at the corner would be very valuable. The same big users, our competition, for example, Alma School and Southern is a main retail area. A lot of tenants have gone down there, and now, even more recently, Cooper and Baseline in Mesa, and in these big centers the anchor tenants get signage on the street. And in our case without that it makes it difficult to compete. And so just to compete in this market where the amount of large box users is diminished, we just need all the help we can get, both from the center and I think from the city too. So, unless there's any questions for me....

Mr. Regner: My questions are not for you, my questions would be for the owners of the property. One of the things that I'm not understanding yet is the long range concept or plan or a concept for what you are trying to request here. I go back, too, as Mr. Neuheisel remembers, and I'm sure he remembers when it was a field there, a cotton field, and I remember when they came and mowed it all down and started digging and all the mice that ran across Southern. My mother happens to live just south of there and it was quite a field day for the cats. I remember the hole being there and I remember the struggles that have gone on. However, what I'm not clear about is why this center suffers the way it does, what is behind this. We have many centers in Tempe that don't have the signage that you are requesting that seem to be doing well. And there is something about this center that is contributing to it not doing well. Have you recently purchased this? I know this has recently changed hands. (a voice responds, yes, yes, we have -- perhaps Mr. Haynes??) You recently purchased this. Do you own the entire property? (again, a voice responds, yes we do) What are your plans and what are you willing to explore with us regarding this property to really make the kind of changes, well first of all, discover what the issues are, what's going on, why is it

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not working? What is it about the way it's laid out, what is it about the mix, is it the paint color, I mean, we can talk color, but I don't know that that's the problem. There's something going on. What have you, what studies have you done, have you talked to, I mean what, you guys are in this business, there certainly must be precedent or there are other examples, there are ways to determine what the problem is. I'd like to know what you're finding out about that and then, we can address the issue. But I'm not thinking that I'm willing to add more monument signs to existing monument signs that look different and have a whole collage of monument signs there, because I don't think that that is going to be the solution. If you can show me that that's the solution, in more than just saying, our tenants like signage -- they all like signage - - we haven't had an applicant before this Board, and I've been on this Board for six years, that hasn't wanted more signage. (a voice responds, and we deal with it everyday also. I understand)

Mr. Neuheisel: Some of our signs are being reduced, Bill.

Mr. Regner: In this case?

Mr. Neuheisel: Yes.

Mr. Regner: I know, but we're going to have more signs and they're not going to look like the other signs. We have the potential for a lot of signs. My point is, in Tempe we come up against this argument all the time, that it needs to be signage. But what we have held to and what we have shown for most of Tempe is that signage does not make or break your business. Your business, your service, your product, your advertising, that's what makes your business. If it's a restaurant, look at Outback Steakhouse. There's not a better example in Tempe, in my opinion, of a business that wouldn't even have to have a sign.

Mr. Haynes??: I've been to several meetings with Outback up and down the west coast and every time it's they've got to have their signage. They've got to have support behind it.

Mr. Regner: Yeah, but you know what, I think they signage they have now is fairly anemic, but you can't get in there to eat without a long wait.

Mr. Haynes??: It's always very successful.

Mr. Regner: So, that's the formula....

Mr. Haynes??: I'd like to focus on some of your questions, as they're kind of mounting up here.

Mr. Regner: OK, well I tend to do that. So you'll just have to go with this.

Mr. Haynes??: First of all, you have.....

Mr. Regner: The Chair recognizes, what's your name again, Scott Thompson, are you Scott?

Mr. Thompson: First of all, we are relatively new owners of the shopping center, and surprise to us, as soon as we bought it, the grocer left. And we were sitting there with an empty box. We had been planning quite a bit of redevelopment on the property, as you've seen us doing over the last couple months, such as upgrading the landscaping, lighting up the parking lot so people feel safe, painting the buildings, because we agree with you, it looked like an eye sore before and I couldn't believe anybody really wanted those colors. And we're moving forward. Those were some of the problems with the shopping center. You had an owner prior to us who was kind of sitting back saying, how can I just make

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a lot of money on the rent and just do what I have to do on the exterior. For us to come in with the signage package we've got now, and I'd like to call it a complete package, we've got a multi-tenant monument sign at the front, which is going to help people identify who is in that shopping center. We've got directory signs that are guiding those people to the bare boxes. And on top of that, we're trying to create a very pedestrian, friendly walkway increasing the under canopy signage to start getting some synergy between everybody so that our smaller shops also start being more successful. So, have we done studies on it, have we looked at it? Absolutely. Are there a lot of signs out here? Yeah. But we also have ground leases with each and every one of these guys and for me to sit here and tell you I've got a solution right now, we've got, if anybody's been in the business, you know you've got thirty, forty different leases you've got to go through, and for us to systematically just say, ok, this is a plan we can commit to right now, that's not the answer.

Mr. Regner: Are their businesses suffering?

Mr. Thompson: Absolutely. Heilig Meyer is going bankrupt.....

Mr. Regner: Those pad tenants?

Mr. Thompson: Staples performance is not the best, and matter of fact, they had originally planned to go a little bit larger. Now they're subleasing a portion of the space that they lease from us because their business is not as strong as they want. They said it's not one of the strongest stores they've go and that's why they're going down in size. We'd like to attract some more attractive tenants, rather than Goodwill. You know, Goodwill is obviously, there's rumor that they're going to be pulling out on us. And when we do get that spot back, I mean, that's space back there, no one's ever going to know there's a retailer back there. And they're going to say first thing.....

Mr. Regner: So you're telling us that the problem with this center historically has been lack of signage.

Mr. Thompson: Signage is one of the major problems.

Mr. Regner: I mean, this center has more signage than any other center in Tempe.

Mr. Thompson: You're right. Every one of our pads, absolutely, we can absolutely lease those quickly because they have the monument sign. But when you go to the majority of our shopping center that's in the back, you know, those guys, it's the building signage or nothing. And literally people are driving up and down these streets, and many times they don't know what's back there, they don't know what major boxes there are. And without that traffic into the shopping center to the major boxes, the smaller tenants are going to get hurt. Because, you know, when the grocer pulled out, all of the little tenants started suffering tremendously. Without the bigger tenants in there those little tenants don't exist. So if we don't have the big tenants in there, it's not a successful shopping center.

Mr. Regner: You may have a good, sound argument at least in part, but what I am saying back to you, the solution in my mind, and I'm one vote, is not to tack on, or not tack on, they're not tacked on, they're nice, to just add more signage. The solution is to go back and rethink the entire signage for the center. You have options on directional signage that below a certain height that you have unlimited, essentially, ability to put up, to get people around once they're in there. Did you know that?

Mr. Thompson: Yes.

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Mr. Regner: OK, so you have, you know, you may be able to make the case for some monument signs leading into the center that do promote a large tenant. You have a center that has long frontage on two streets. There might be a compelling argument that you can make that there could be three or four monument signs along, maybe two on each frontage, that recognizes a major tenant. You're probably not going to get a multi-tenant monument sign, I don't know, but that's going to be a tougher sell. But to do that you're going to have to go back through all of the monument signs, evaluate, you're going to have to discuss it with your tenants, if their business is suffering as you are saying because of this center, they're going to have to help with a solution. The solution in my mind is not add more monument signs only. The solution is go back, rethink the center how it works, rethink the sign package, and come back to us with something that is comprehensive and makes it work. So that we're not going to be dealing with this again.

Mr. Thompson: So, right now, we have like I said, the individual pad tenants, yes, they have monument signs. That's something we inherited. That's something that we have to deal with as the buildings are re-tenanted. That's a right that they have right now and it's not as easy as us just going in and saying...

Mr. Regner: I didn't say it was easy.....

Mr. Thompson: Joe's, we're going to take away your sign, McDonald's, we're going to take away your signage, I mean there's no way, they won't do it right now.

Mr. Regner: Maybe you don't need....

Mr. Thompson: This is an answer during a re-tenanting process that's going to take some time.

Mr. Regner: You have 9 monument signs allowed on this site. Correct?

Mr. Thompson: And, we're not adding any more.

Mr. Regner: You have 9 monument signs allowed, 3 of them currently are not being utilized. Theoretically, you only need to talk one and maybe two, if Leslie's is one of them.

Mr. Thompson: Leslie's, I spoke with them and Lon Weiss is their real estate person. I tried to get everything I could to get him to go on the monument.....

Mr. Regner: Maybe you can't get Leslie's, but you need to talk two people out of their signs, let Leslie have theirs, you've got two that you've got to convince that they don't need that sign.....

Mr. Thompson: You want us to actually incrementally start reducing all the monument signage at our center, which can only be single tenant?

Mr. Regner: I'm saying if you want to promote your major tenants in the main part of your center, you're going to have to convert, I'm one vote, you may have to convert some of the existing monument signs that you are allowed to major tenant signs, so you can promote whoever's in those big boxes, and when you bring the people into the big boxes, the little spaces benefit from it. But they're going to have to look alike, they have to work together, the signage has to work together, it can't be a mix and match of different shapes, and sizes and colors.....

Mr. Thompson: Our intent is to carry this design forward however we've got.....

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Mr. Regner: Well, then you're going to have to do this work anyway. Because you're going to have to go back and convince some of these tenants about changing their signage anyway.

Mr. Thompson: McDonald's told us to pound sand; Joe's Crab Shack pretty much told us the same thing; like I said, it's already approved, installed signage, so in order for us to go back to these tenants which we have tried at this point, and ask them to convert to this type of signage, they go, no we've already got our I.D. McDonald's has got their arches, they're happy with what they've got. So, you know, to answer your question.....

Mr. Regner: I would like to open then to comments from the rest of the Board. You've heard my comments, and now it is time to hear the rest of the Board. Then you will know the flavor of this and if you choose you can take a continuance tonight and try to work through some of these things, think about it, come back and we'll certainly go through this again with you. It is an important center, it has an historical significance to Tempe. Tempe in one sense I think wants to support this, that's why there are so many monument signs now, I'm pretty certain, because of the desire of this community to support this center. So I don't think that that's lacking. But it's got to work and it's got to be a true solution and it has to have elements of consistency to our other signage policies. I hope that makes sense.

Mr. Thompson: It does, and I hope you do recognize that this is a shopping center that had been neglected. We understand that, and we're doing everything we can to make it a very shopping center.

Mr. Regner: But the only thing that I'm hearing you say is we need more signs, and we don't think that's necessarily true in every case.

Mr. Thompson: We're not asking for more signs. We're asking for....

Mr. Regner: You're asking for more types of signage than we normally allow. Comments from the rest of the board please.

Mr. Neuheisel: Before you would ask a question, I think there's confusion, Bill. You're saying we're asking for more signs; we're not asking for more signs. These are staff recommendations. The real issue here tonight is whether they can have four different tenants on that sign, that monument sign, out on the corner, that's the big issue.

Mr. Regner: Right.

Mr. Neuheisel: Now, that center is called Southern Palms. Now, Bill, let me ask you this question: How many center names can you give me? What's the name of the Basha center, other than Basha's, across the street?

Mr. Regner: I prefer Mr. Neuheisel, Mr. Regner in this discussion, please.

Mr. Neuheisel: You want to go on a last name basis, Mr. Regner?

Mr. Regner: I think Mr. Neuheisel that's probably proper.

Mr. Neuheisel: All right. Answer the question, if you will.

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Mr. Regner: Well, I think it's probably the Basha center, I don't know the answer to that. I go.....

Mr. Neuheisel: Is there a monument sign there?

Mr. Regner: I don't know. I go there because I know Basha's is there.

Mr. Neuheisel: That's right. That's the point that he's trying to make. He wants to have people recognize Food-4-Less as the name of the center. The identifying mark. Not Southern Palms Center because no one knows that. I'm telling you honestly, Mr. Regner, that for 25 years that I was across from that, I never looked at that sign. It meant nothing to me.

Mr. Regner: You have.....

Mr. Neuheisel: Let me finish now, Mr. Regner. I know you like to talk, I'm in Kiwanis with you. I'm very acquainted with your tactics. Now you should listen sometimes, ok. I'm trying to be polite to you, but you must be polite to me, ok? You tell me next, what is the name of the Fry's shopping center. What does that monument sign say?

Mr. Regner: I believe it says Fry's center.

Mr. Neuheisel: Fry's center. Is that all it says? Well you caught that.....

Mr. Voss: Mr. Chairman?

Mr. Regner: Mr. Voss.

Mr. Voss: With all due respect, our job is to administer an ordinance and to see how we can do the best that we can to make sure that the design of signs and buildings and so forth meet that ordinance and look good. As a DR Board member, I don't think it's our responsibility to sit here and be quizzed about other people's signage or the lack of their success, or their success. I quite frankly, this is not a courtroom. I don't know what your experience today in Holbrook was but I am offended by the way that you're addressing this Board.

Mr. Neuheisel: Well, I apologize Mr. Voss, I don't know you. I very sympathetic and understanding of the design review process. Some years ago I was on the City Council. I introduced the bill that started this particular process. I think it's important in this community that you have signs that are not offensive. I think it's important that you take care with the appearance of this community, and I applaud you for being on this Board. But, I also know from long experience that it's important in life to be fair. And the only reason I asked Mr. Regner the questions I did is because I was trying to prove a point. I don't believe that it's helpful to the center to be called Southern Palms and to insist that that be the name, Mr. Voss. Because no one pays any attention to it. So it's meaningless. And I tried to point out that with Basha's you refer to as a Basha's shopping center. Across the street, it's the Fry's shopping center. And every intersection that we can think of, or you can think of, or Mr. Regner can think of, it's the name of the major tenant.

Mr. Regner: Mr. Neuheisel, the applicant has the option at any time to change the center to Goodwill Center, Staples Center, you know, you always have that option. You don't have to call it Southern Palms Center.

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Mr. Neuheisel: We want to use these, the sign proposal that we submitted.

Mr. Regner: But what you're calling it is Food-4-Less - Staples - and in this case - Tenant - Tenant Center, and that's not the name of it, and we do not allow that kind of multi-tenant naming of a center. If they want to call it Food-4-Less Center, they can do that.

Mr. Neuheisel: I'm asking you to look outside the box.

Mr. Regner: I am looking outside the box, I'm just not looking outside the box the same way you are. I have offered the consideration of allowing 4 freestanding monument signs each displaying the name of a major tenant. That is outside of the box already.

Mr. Neuheisel: But how can we accomplish that? You've heard.....

Mr. Regner: You didn't listen, sir, and that's why we are having this little spat thing here. I asked the applicant to go back and look at this as a comprehensive sign package, to come back, and I suggested that there might be some willingness to go with something different, like additional freestanding signs or a conversion of freestanding signs to allow street frontage signage for a major tenant. That's different than what is normally allowed.

Mr. Neuheisel: Mr. Regner, I just asked Greg Abbott who specializes in this area if this possible. He said no. You heard Scott Thompson indicate to you that he's talked to these tenants and they're not willing to do that, so what are you asking? You just saying, go do something that's impossible and come back when you have some success? All we're asking tonight is for you to consider a sign that says something other than Southern Palms Shopping Center. We're asking you to allow us to put the names Food-4-Less, Staples, and two other tenants because otherwise they'll want to go somewhere else. You heard Mr. Abbott say, down the street in Mesa they allow that kind of signage. We don't allow it, you say. I'm saying, please, give us a chance. You know as well as anyone this has had nothing but failure, failure, failure all these years. Don't turn your back on us. Give us a chance. Let's just meet.....

Mr. Gavigan: Mr. Chairman?

Mr. Regner: Mr. Gavigan.

Mr. Gavigan: Mr. Neuheisel, if I may just simply and briefly...if I understand what Mr. Regner is suggesting, I think it really makes a lot of sense. Let me try to explain it one more time, and please correct me if I have this wrong. You've got 2 existing monument signs that are currently not being used. What Mr. Regner has suggested is if you can bring us those two signs, that we would give you two, go to the Board, we would offer two more monument signs. That would give you a total of four free monument signs which could be given to the major tenants in the back building. Which, I think, if you'll talk to your leasing expert, or your leasing person/broker, a freestanding monument sign would be much more attractive sign to those people moving into those spaces, than a multi-tenant sign on the corner of the shopping center. Is that what you were suggesting?

Mr. Regner: Thank you Mr. Gavigan. It is not exactly, but it is within the possibility of a solution. If you can bring us the two....

Mr. Neuheisel: Let me ask Mr. Abbott to come up here. Mr. Abbott?

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Mr. Gavigan: What I thought I understood was that if you could bring us the, there are two currently available that are not being used. If you can bring us those two, we would give you two more. Those four could be used for the back buildings. Basically the two pad tenants that have those now would have to give them up, but in the interest of the shopping center as a whole I think it would be in everyone's benefit to increase, if we had monument signs on those two streets for the back tenants to improve the shopping center as a whole, you're going to bring a lot of business in and you may be able to convince the two pad tenants that are not using their signs right now to give those up. Maybe, maybe not. That's what we offered you. And it's just an offer; if you don't want it, we can go ahead and vote on what you submitted. But I, as one board member, will never support the multi-tenant sign on the corner. We don't do it. I know why we don't do it. I agree that maybe Southern Palms works, maybe it doesn't, but multi-tenant is not the way to go on the corner.

Mr. Valenzuela: Mr. Chairman?

Mr. Regner: Mr. Valenzuela.

Mr. Valenzuela: I would like to put my comments before this gets too late. Basically, the purview of this Board is to review the information that is given to us and not to provide potential solutions to whatever the retail problems may be in this center. I would like to get back on track by commenting on what is presented to us this evening. I have no problem with the canopy mounted signs, I think they're fine. I think the 8 ft. height restriction should apply. I am a little concerned about sign b., that would be the so-called directional signs. I am concerned about the placement of the directional signs, like Mr. Bauer when he was up here was a little confused because of the placement; they are perpendicular to the street. However, it sounds like now that they are sort of diagonal somewhat, but they still present a concern to me because of the location near the arterial streets. I don't see these as directional signs; if they were directional signs, they would be more interior to the site. I can see people pulling in and looking at that sign and wondering which way to go and creating a traffic hazard at the entry to this shopping center. I have a strong concern with sign b.; I don't have a problem with the sign per se, but I would like to see it more interior to the site. Regarding sign a., I see those signs in Mesa, the multi-tenant on the corner, and frankly, it's pure visual clutter. I do not support that sign at all. I think the basic problem of this center probably stands from the over-zealousness of the developers in 1981 to provide a freestanding monument sign for each pad tenant. I know that, even in the short time I've been on this Board, there's been a concern about the amount of freestanding monument signs and there's been a reluctance to allow any more freestanding monument signs. I think if there weren't so many freestanding monument signs existing, I don't think you'd have a problem with a multi-tenant sign as you may want. However, I do not approve of the one on the corner. But I think if there were less freestanding monument signs, I would have no problem with a multi-tenant sign along the arterial streets, more away from the corner. I have to disagree with Mr. Neuheisel also, regarding the name of this center, Southern Palms, because when Leslie's was before us I got a flyer in the mail from Leslie's and they said, "located in Southern Palms Center." So, it can be used in advertising in an effective manner.

Mr. Regner: Thank you Mr. Valenzuela, and thank you for bringing us back on track. Any other comments from the Board? (no response) Do we have a motion? (no response) Does the applicant wish to exercise the courtesy of a continuance? (there was a response from the audience, from someone not near the microphone, and I did not understand the response and did not recognize the voice) Want to go ahead and have a vote? Is there a motion before the Board?

Mr. Valenzuela: Mr. Chairman?

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Mr. Regner: Mr. Valenzuela.

Mr. Valenzuela: I would like to move for the approval of this package with the following stipulations: To modify sign a. to eliminate tenant identification, to have monument type base of masonry construction, and to redesign the center identification sign that relates to the architectural design of Southern Palms Center. All signs c. shall maintain a minimum height of 8 ft. clearance above the pedestrian walkway. Provide address numerals on sign a. Stipulation #4 of our packet should be eliminated, that had to do with the Outback Restaurant. #5 should be, #4 actually, should be, obtain sign permits for signs a. and b. prior to installation. And I would like to add another condition that signs b. be modified to be interior to the site.

Mr. Voss: Second.

Mr. Regner: We have a motion by Mr. Valenzuela, seconded by Mr. Voss. Any Board discussion? (no response) All in favor of the motion, signify so by saying aye. (response was 5-0 saying aye) Opposed, same sign. (none) Motion carries 5-0.

Mr. Neuheisel: Thank you for your courtesy, Mr. Regner.